

REMARKS

I. Status of the Claims

Claims 38-42, 48, and 53-66 are pending.

Applicants seek to amend claims 53, 59, 65, and 66 to correct minor typographical errors. Specifically, each listed claim would be amended to delete an extraneous "is" from the definitions of (B) and (C). Also, claim 59 would be amended to change "stem" to "system" in the definition of the radical Ar.

Support for these amendments may be found throughout the specification and claims as originally filed. Moreover, Applicants respectfully contend that these are obvious errors, since one of ordinary skill in the art would recognize the existence of the errors and their appropriate correction. See M.P.E.P. § 2163.07(II).

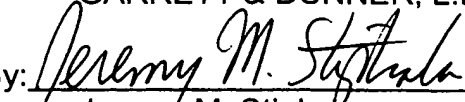
Since these amendments would place the claims in better form for consideration on appeal, Applicants respectfully request their entry.

CONCLUSION

Applicants respectfully request the entry of this Amendment, which accompanies Applicants' Appeal Brief. Please grant any extensions of time required to enter this Amendment and charge any fees required therefor to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

By: 
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Dated: December 16, 2002

Enclosure: Appendix

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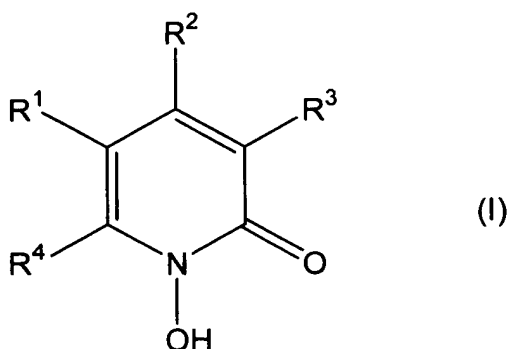
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APPENDIX

In accordance with 37 C.F.R. § 1.121(c), amended claims 53, 59, 65, and 66 are set forth below in marked-up form to aid the Examiner in identifying amendments to the claims. Additions are underlined, and deletions are shown with bold square brackets and strikethrough font [~~like this~~].

53. (Once Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis comprising administering to the patient an amount effective for the treatment of seborrheic dermatitis of a composition comprising:

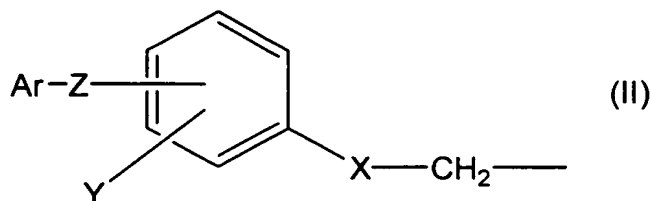
(A) at least one 1-hydroxy-2-pyridone of formula I, wherein the at least one 1-hydroxy-2-pyridone is present in free form or as a pharmaceutically acceptable salt:



where R¹, R², and R³, which are identical or different, are H or alkyl having 1 to 4 carbon atoms, and R⁴ is a saturated hydrocarbon radical having 6 to 9 carbon atoms or a radical of formula II:

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where:

X is S or O;

Y is H, or 1 or 2 identical halogen atoms, or a mixture of 2 different halogen atoms;

Z is a single bond, or
a linking radical comprising

(1) O, or

(2) S, or

(3) -CR₂-, where R is H or (C₁-C₄)-alkyl, or

(4) from 2 to 10 carbon atoms linked in the form of a straight or branched chain,

which optionally further comprises one or more of the following:

(i) a carbon-carbon double bond, and

(ii) O, S, or a mixture thereof, wherein if 2 or more O or S atoms or a mixture thereof are present, each O or S atom is separated by at least 2 carbon atoms; and,

in any of the foregoing linking radicals, any remaining free valences of the carbon atoms of said linking radical are saturated by H, (C₁-C₄)-alkyl, or a mixture thereof;

and

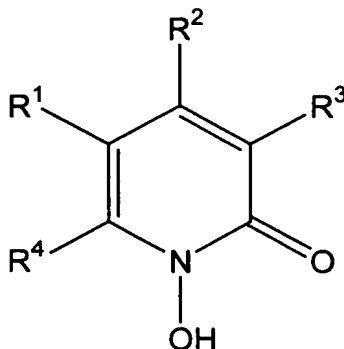
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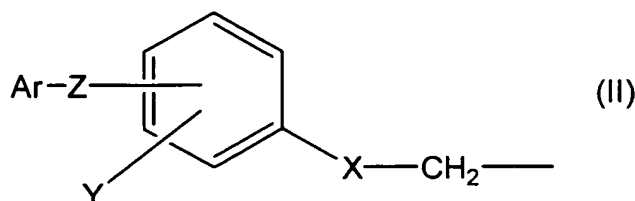
- Ar is an aromatic ring system having one or two rings, the aromatic ring system being unsubstituted or substituted by one, two, or three radicals, which are identical or different, and are chosen from halogen, methoxy, (C₁-C₄)-alkyl, trifluoromethyl, and trifluoromethoxy;
- (B) [is] at least one surfactant chosen from anionic surfactants, cationic surfactants, nonionic surfactants, and amphoteric surfactants; and
- (C) [is] at least one keratolytic agent; and
- wherein the composition has a pH ranging from about 4.5 to about 6.5.

59. (Once Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis comprising administering to the patient an amount effective for the treatment of seborrheic dermatitis of a composition which comprises:

- (A) at least one 1-hydroxy-2-pyridone of formula I, wherein the at least one 1-hydroxy-2-pyridone is present in free form or as a pharmaceutically acceptable salt:



where R^1 , R^2 , and R^3 , which are identical or different, are H or alkyl having 1 to 4 carbon atoms, and R^4 is a saturated hydrocarbon radical having 6 to 9 carbon atoms or a radical of formula II:



where:

X is S or O;

Y is H, or 1 or 2 identical halogen atoms, or a mixture of 2 different halogen atoms;

Z is a single bond, or

a linking radical comprising

(1) O, or

(2) S, or

(3) $-CR_2-$, where R is H or (C_1-C_4) -alkyl, or

(4) from 2 to 10 carbon atoms linked in the form of a straight or branched chain,

which optionally further comprises one or more of the following:

(i) a carbon-carbon double bond, and

(ii) O, S, or a mixture thereof, wherein if 2 or more O or S atoms or a mixture thereof are present, each O or S atom is separated by at least 2 carbon atoms; and,

in any of the foregoing linking radicals, any remaining free valences of the carbon atoms of said linking radical are saturated by H, (C_1-C_4) -alkyl, or a mixture thereof;

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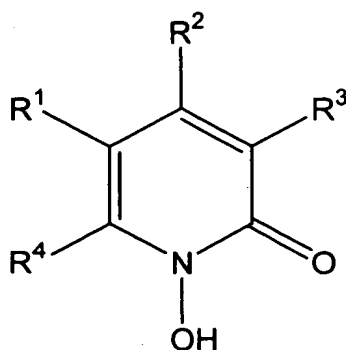
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and

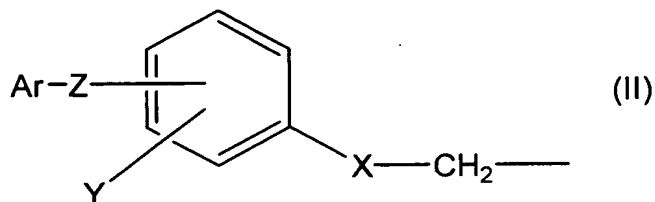
- Ar is an aromatic ring system having two rings, the aromatic ring ~~[stem]~~ system being unsubstituted or substituted by one, two, or three radicals, which are identical or different, and are chosen from halogen, methoxy, (C₁-C₄)-alkyl, trifluoromethyl, and trifluoromethoxy, and wherein Ar is a bicyclic system derived from biphenyl, diphenylalkane, or diphenyl ether;
- B) ~~[is]~~ at least one surfactant chosen from anionic surfactants, cationic surfactants, nonionic surfactants, and amphoteric surfactants; and
- (C) ~~[is]~~ at least one keratolytic agent.

65. (Once Amended) A method of treating a human or animal patient in need of treatment for seborrheic dermatitis comprising administering to the patient an amount effective for the treatment of seborrheic dermatitis of a composition comprising:

- (A) an active component consisting essentially of at least one 1-hydroxy-2-pyridone of formula I, wherein the at least one 1-hydroxy-2-pyridone is present in free form or as a pharmaceutically acceptable salt:



where R^1 , R^2 , and R^3 , which are identical or different, are H or alkyl having 1 to 4 carbon atoms, and R^4 is a saturated hydrocarbon radical having 6 to 9 carbon atoms or a radical of formula II:



where:

X is S or O;

Y is H, or 1 or 2 identical halogen atoms, or a mixture of 2 different halogen atoms;

Z is a single bond, or
a linking radical comprising

(1) O, or

(2) S, or

(3) $-CR_2-$, where R is H or (C_1-C_4) -alkyl, or

(4) from 2 to 10 carbon atoms linked in the form of a straight or branched chain,

which optionally further comprises one or more of the following:

(i) a carbon-carbon double bond, and

(ii) O, S, or a mixture thereof, wherein if 2 or more O or S atoms or a mixture thereof are present, each O or S atom is separated by at least 2 carbon atoms; and,

in any of the foregoing linking radicals, any remaining free valences of the carbon atoms of said linking radical are saturated by H, (C₁-C₄)-alkyl, or a mixture thereof;

and

Ar is an aromatic ring system having one or two rings, the aromatic ring system being unsubstituted or substituted by one, two, or three radicals, which are identical or different, and are chosen from halogen, methoxy, (C₁-C₄)-alkyl, trifluoromethyl, and trifluoromethoxy;

(B) [is] at least one surfactant chosen from anionic surfactants, cationic surfactants, nonionic surfactants, and amphoteric surfactants;

(C) [is] lactic acid; and

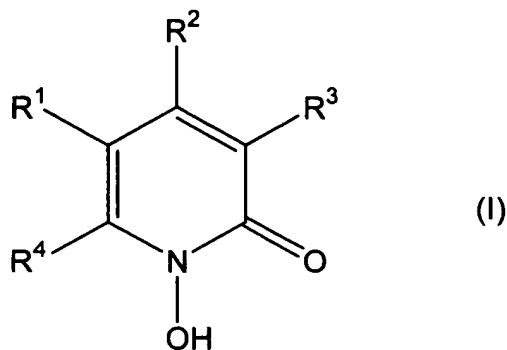
wherein the composition has a pH ranging from about 4.5 to about 6.5.

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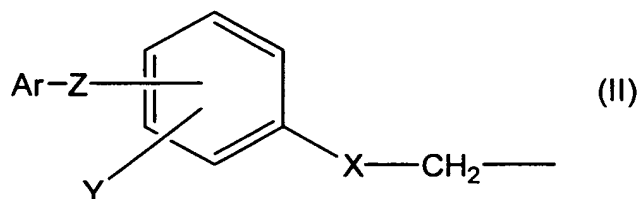
(A) at least one 1-hydroxy-2-pyridone of formula I, wherein the at least one 1-hydroxy-2-pyridone is present in free form or as a pharmaceutically acceptable salt:

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where R¹, R², and R³, which are identical or different, are H or alkyl having 1 to 4 carbon atoms, and R⁴ is a saturated hydrocarbon radical having 6 to 9 carbon atoms or a radical of formula II:



where:

- X is S or O;
- Y is H, or 1 or 2 identical halogen atoms, or a mixture of 2 different halogen atoms;
- Z is a single bond, or
 a linking radical comprising
 - (1) O, or
 - (2) S, or
 - (3) -CR₂-, where R is H or (C₁-C₄)-alkyl, or

(4) from 2 to 10 carbon atoms linked in the form of a straight or branched chain, which optionally further comprises one or more of the following:

- (i) a carbon-carbon double bond, and
- (ii) O, S, or a mixture thereof, wherein if 2 or more O or S atoms or a mixture thereof are present, each O or S atom is separated by at least 2 carbon atoms; and,

in any of the foregoing linking radicals, any remaining free valences of the carbon atoms of said linking radical are saturated by H, (C₁-C₄)-alkyl, or a mixture thereof;

and

- Ar is an aromatic ring system having two rings, the aromatic ring system being unsubstituted or substituted by one, two, or three radicals, which are identical or different, and are chosen from halogen, methoxy, (C₁-C₄)-alkyl, trifluoromethyl, and trifluoromethoxy, and wherein Ar is a bicyclic system derived from biphenyl, diphenylalkane, or diphenyl ether;
- (B) [is] at least one surfactant chosen from anionic surfactants, cationic surfactants, nonionic surfactants, and amphoteric surfactants; and
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